

C. Remarks

Claims 14-17 are presented in lieu of claims 1, 6-8, and 11-13, which have been cancelled without prejudice or disclaimer. The new claims are supported by the cancelled claims, as well as throughout the specification and the abstract. No new matter has been added. Reconsideration of the present claims is expressly requested.

Claim 1 stands rejected under 35 U.S.C. § 112, second paragraph, as being allegedly indefinite.

Since claim 1 has been cancelled, this rejection is moot and should be withdrawn. Applicants note, however, that new independent claim 14 refers to integer multiples of existence quantity units, which are selected from a range of 1 amol to 1nmol.

Claims 1, 6, 7, and 11-13 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by, or under 35 U.S.C. § 103(a) as being allegedly obvious from, U.S. Patent No. 6,485,913 B1 (Becker).

Since all rejected claims have been cancelled, these rejections are moot and should be withdrawn.

Applicants respectfully submit that the new claims are patentable over Becker. These claims are related to a method for preparing a test specimen. In this method, liquid droplets of two or more chemical substances are applied at prescribed plural independent positions on a substrate by an inkjet system. One droplet has a volume of not more than 50pL. The quantities of the chemical substances present at each of the prescribed plural independent positions are integer multiples of existence quantity units selected from a range of 1 amol to 1 nmol, respectively, for each of the chemical substances. Because substances are applied in amounts that are integer multiples of a

predetermined existence quantity units, a precise calibration curve for quantitative analysis can be obtained.

Becker is directed to an open system for performing submicroliter reactions. This reference mentions adjusting the amount of a liquid on a picoliter scale and carrying out reactions at plural positions on the same chip at different conditions. Applicants respectfully submit, however, that Becker fails to disclose or suggest depositing substances at plural positions in amounts, at each position, which are integer multiples of a predetermined amount (existence quantity unit), as presently claimed.

The Examiner recognized that Becker does not disclose that the binding agent is present in an integer multiple amount. However, the Office Action alleges that the absence of any binding substance reads on the claims, because it represents a condition where the integer is zero. Also, the Examiner referred to the claimed quantity of substances being obtainable by routine experimentation.

Claim 1 in the present case explicitly requires the substances to be deposited on the substrate and be present at a location in quantities based on integral multiples. The absence of a binder at a location in Becker cannot satisfy this condition. With respect to routine experimentation, Applicants submit that the prior art does not recognize the relationship of the amount of substances at a location and a predetermined amount to be a result-effective variable. Accordingly, the optimization theory is not applicable in the present case.

Thus, Applicants respectfully submit that Becker fails to anticipate the presently claimed invention or render it obvious.

Wherefore, withdrawal of the outstanding rejections and passage of the

application to issue are respectfully requested.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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